

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/597,718 Confirmation No.: 5322  
Applicant : Park et al.  
Filed : September 14, 2006  
TC/A.U. : 1634  
Examiner : Whisenant, Ethan C.  
For : Microarray Comprising QC Probes and Method for Fabricating  
the Same  
Docket No. : 117-06  
Customer No. : 23713

Commissioner for Patents  
MAIL STOP AMENDMENT  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF EFS-WEB FILING

I hereby certify that this correspondence is being  
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June 18, 2009  
Date

/ronaldfriedland/  
Ronald Friedland

**RESPONSE TO RESTRICTION REQUIREMENT**

This is in response to the Office Action mailed May 19, 2009 requiring restriction and election with respect to the pending claims. With this response, claims 1-16 remain pending.

**1. Restriction Requirement**

The Office Action requires restriction and characterizes claims 1-16 as directed to the following inventions which are allegedly not so linked as to form a single general inventive concept under PCT Rule 13.1:

<b>Invention</b>	<b>Claims</b>
Group I (claims 1-15)	Drawn to a quality control oligonucleotides and their use in microarray applications.
Group II (claim 16)	Drawn to an oligonucleotide including Mycobacterium genus specific internal transcribed spacer sequence which is useful for differentiating Mycobacteria strains.

Pursuant to the requirements of 37 C.F.R. § 1.499, Applicants elect, without traverse, the claims of Invention of Group I for examination. Invention of Group I corresponds to pending claims 1-15.

Applicants hereby reserve the right to pursue rights in the fullest extent of subject matter of the present invention including, but not limited to, unelected inventions and inventions of other asserted species, in the present application or any subsequently filed continuation, divisional and/or continuation-in-part applications.

## **2. Conclusion**

In view of the foregoing, it is submitted all pending claims are believed allowable and in condition for allowance. Passage to issuance is, therefore, respectfully requested. The undersigned believes that this reply is responsive to each and every item raised in the Office Action; if the Examiner considers otherwise, the Examiner is urged to contact the undersigned as soon as conveniently possible to resolve any issue.

It is believed that no fee is due for this submission. If this is incorrect, please charge any required amount to Deposit Account No. 07-1969.

Respectfully submitted,  
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